

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HOT SPRINGS DIVISION

JERRY L. DONALDSON

PLAINTIFF

v.

No. 6:16-CV-06070

THE KANSAS CITY SOUTHERN  
RAILWAY COMPANY

DEFENDANT

**ORDER**

The parties have filed a joint motion<sup>1</sup> (Doc. 36) to dismiss this case with prejudice. The parties represent that they have settled this matter and ask that the Court retain jurisdiction to enforce the terms of their settlement agreement. The Court considers dismissal on these terms proper.

IT IS THEREFORE ORDERED that the motion (Doc. 36) is GRANTED and this case is DISMISSED WITH PREJUDICE. The Court retains jurisdiction to enforce the terms of the settlement agreement.

IT IS SO ORDERED this 1st day of April, 2019.

*/s/ P. K. Holmes, III*

P.K. HOLMES, III  
U.S. DISTRICT JUDGE

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<sup>1</sup> Though the document is titled “stipulation for dismissal,” it was docketed by the parties as a motion, requests that the Court retain jurisdiction to enforce the terms of the settlement, and moves the Court to enter an order of dismissal. It is clear that this is a motion to dismiss filed pursuant to Federal Rule of Civil Procedure 41(a)(2) rather than a stipulation of dismissal filed pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).